

ESTTA Tracking number: **ESTTA611018**

Filing date: **06/19/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212477
Party	Defendant GFA Brands, Inc.
Correspondence Address	MARTA S LEVINE QUARLES & BRADY LLP 411 E WISCONSIN AVE, SUITE 2350 MILWAUKEE, WI 53202-4461 UNITED STATES tm-dept@quarles.com, johanna.wilbert@quarles.com, dav- id.cross@quarles.com, DRC@quarles.com, marta.levine@quarles.com, jwil- bert@quarles.com
Submission	Other Motions/Papers
Filer's Name	Johanna M. Wilbert
Filer's e-mail	johanna.wilbert@quarles.com, deena.rafinski@quarles.com
Signature	/Johanna M. Wilbert/
Date	06/19/2014
Attachments	2014-06-19 GFA Brands Inc's Disclosure of Philip Johnson's Rule 26(a)(2)(D) Responsive Expert Report.pdf(9223 bytes )

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

In the Matter of Application Serial No. 85/751,520: EARTH BALANCE  
Published for Opposition March 19, 2013

---

BALANCE BAR COMPANY

Opposer,

v.

**Opposition Nos. 91212477**

GFA BRANDS, INC.

Applicant.

---

**GFA BRANDS, INC.'S DISCLOSURE OF  
RULE 26(a)(2)(D) RESPONSIVE EXPERT REPORT OF PHILIP JOHNSON**

---

Pursuant to Fed. R. Civ. P. 26(a)(2)(D) and 37 C.F.R. §2.120, GFA Brands, Inc. hereby gives notice of the preparation of a Responsive Expert Report by its designated expert Philip Johnson. A copy of the responsive expert report was provided to counsel for Opposer via e-mail and first class mail on Thursday, June 19, 2014, as required by the schedule previously set in this proceeding.

Dated this 19th day of June, 2014.

/s/Johanna M. Wilbert

David R. Cross  
Marta S. Levine  
Johanna M. Wilbert  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4497  
Telephone: (414) 277-5495  
Facsimile: (414) 978-8942  
Email: DRC@quarles.com  
Email: marta.levine@quarles.com  
Email: jwilbert@quarles.com

*Attorneys for Applicant GFA Brands, Inc.*

**CERTIFICATE OF SERVICE**

A copy of the foregoing GFA Brands, Inc. Disclosure of Rule 26(a)(2)(D) Responsive Expert Report Of Philip Johnson, along with a copy of Mr. Johnson's responsive report were served on this 19th day of June 2014, via regular U.S. Mail, with e-mail courtesy copies upon:

R. Glenn Schroeder  
Schroeder Law PC  
110 Cooper Street #605  
Babylon, NY 11702  
gschroeder@schroederlawpc.com

Dated this 19th day of June, 2014.

/s/ Johanna M. Wilbert  
\_\_\_\_\_  
Johanna M. Wilbert  
Quarles & Brady LLP  
411 E. Wisconsin Avenue  
Suite 2040  
Milwaukee, WI 53202-4497  
Phone: (414) 277-5000  
Facsimile: (414) 978-8942  
johanna.wilbert@quarles.com